

## LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

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for November 12, 2003 PLANNING COMMISSION MEETING

**P.A.S.:** Waiver #03013

**PROPOSAL:** Waive Section 26.23.140 of the Land Subdivision ordinance requiring lots to have a maximum depth of three times its width. This request is associated with Simons 1<sup>st</sup> Addition Final Plat No. 03039.

**LOCATION:** S. 43<sup>rd</sup> Street & South Street

**LAND AREA:** 0.98 acres, more or less

**CONCLUSION:** The requested waiver is acceptable. The waiver allows for increased density.

<b><u>RECOMMENDATION:</u></b>	Approval
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### **GENERAL INFORMATION:**

**LEGAL DESCRIPTION:** Lots 1 and 2 and the west one-half of Lot 3, Simons Addition, located in the SW 1/4 of Section 32, Township 10 North, Range 7 East, Lancaster County, NE

**EXISTING ZONING:** R-2 Residential

**EXISTING LAND USE:** Single family house

### **SURROUNDING LAND USE AND ZONING:**

North: R-2 Residential  
South: R-2 Residential  
East: R-2 Residential  
West: R-2 Residential

### **HISTORY:**

**September 25, 2003:** Final Plat #03039, Simons 1<sup>st</sup> Addition, was submitted to the Planning Department.

## **COMPREHENSIVE PLAN SPECIFICATIONS:**

The 2025 Comprehensive Plan shows this area as urban residential. (F-23)

Guiding Principles for the Urban Environment includes:

Maximize the community's present infrastructure investment by planning for residential and commercial development in areas with available capacity. This can be accomplished in many ways including encouraging appropriate new development on unused land in older neighborhoods and more dwelling units per acre in new neighborhoods. (F-17)

Home ownership is the foundation upon which successful neighborhoods and communities are built. Citizens should be able to afford to buy a safe and decent home. (F-18)

Encourage mixed-use redevelopment, adaptive reuse and in-fill development including residential, commercial and retail uses. (F-18)

**TRAFFIC ANALYSIS:** South Street is classified as a minor arterial

## **ANALYSIS:**

1. This request is to waive Section 26.23.140 of the Land Subdivision ordinance requiring lots to have a maximum depth of three times its width. Lots 2 and 3 exceed the width to depth ratio.
2. The waiver request is associated with Simons 1<sup>st</sup> Addition final plat.
3. The proposed plat is an appropriate infill development subdividing a large lot to increase density and use existing infrastructure.
4. The lot has 120' of frontage and is 300' deep. The exceptional depth of the lot allows for additional lots in the rear. This can only be accomplished by designing flag lots that have depth of more than three times its width.
5. Public Works & Utilities Department does not object to the waiver.
6. A meeting with the neighbors was held on October 9, 2003 to discuss the proposed subdivision and to see if there was any interest from adjacent property owners in subdividing their property. There was no interest from adjacent property owners in subdividing their property. It was explained that the proposed subdivision could hinder future subdivision of adjacent properties.

7. One letter in opposition was received from the resident at 4140 Normal Blvd.

Prepared by:

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Tom Cajka  
Planner

**DATE:** October 29, 2003

**APPLICANT:** Alan & Lisa Sasek  
3711 Faulkner Dr. Apt 305  
Lincoln, NE 68516

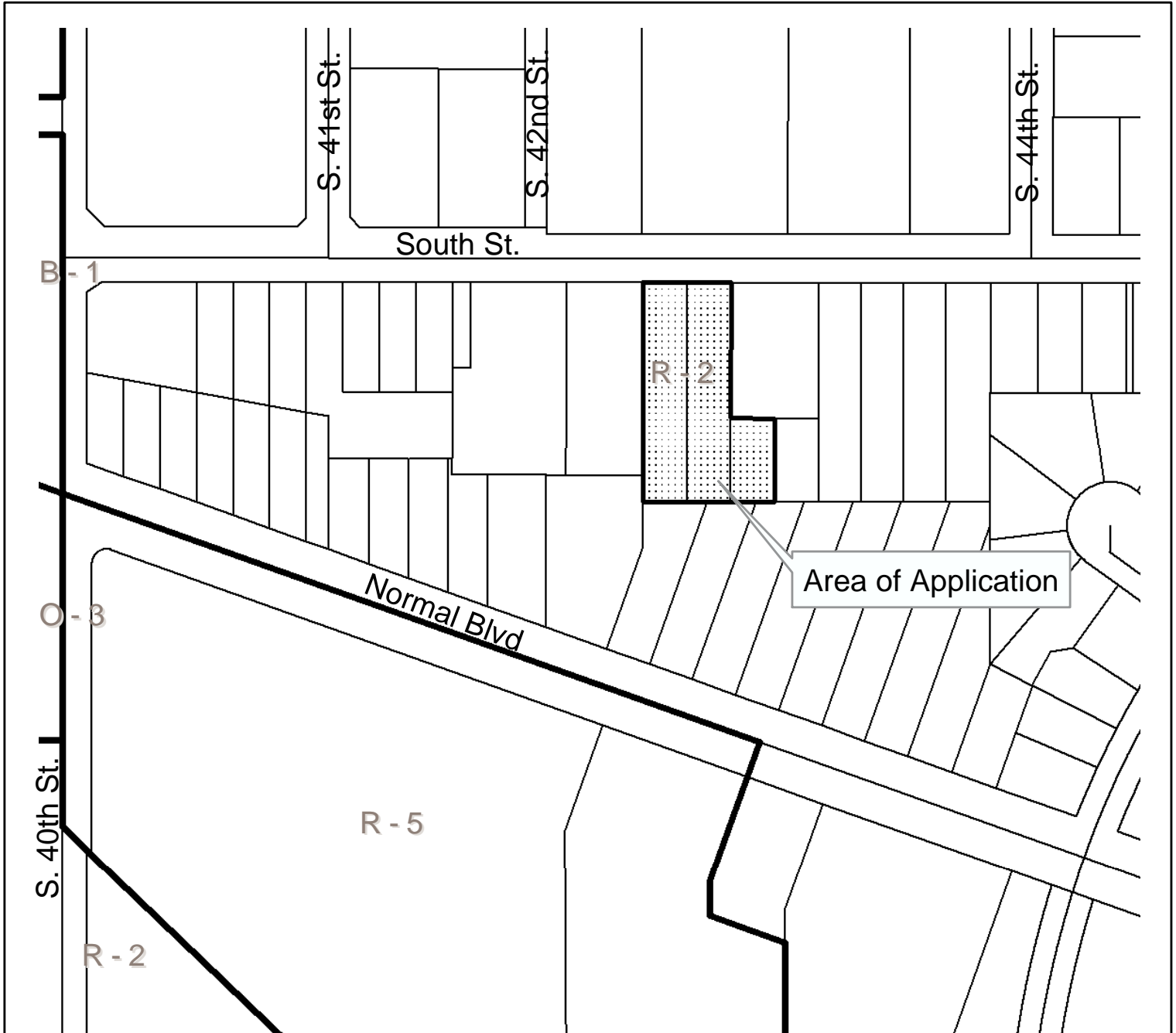
**OWNER:** Same as applicant

**CONTACT:** J. D. Burt  
Design Associates  
1609 "N" St.  
Lincoln, NE 68508  
(402) 474-3000



**Waiver #03013**  
**S. 43rd & South St.**



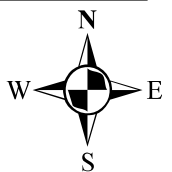
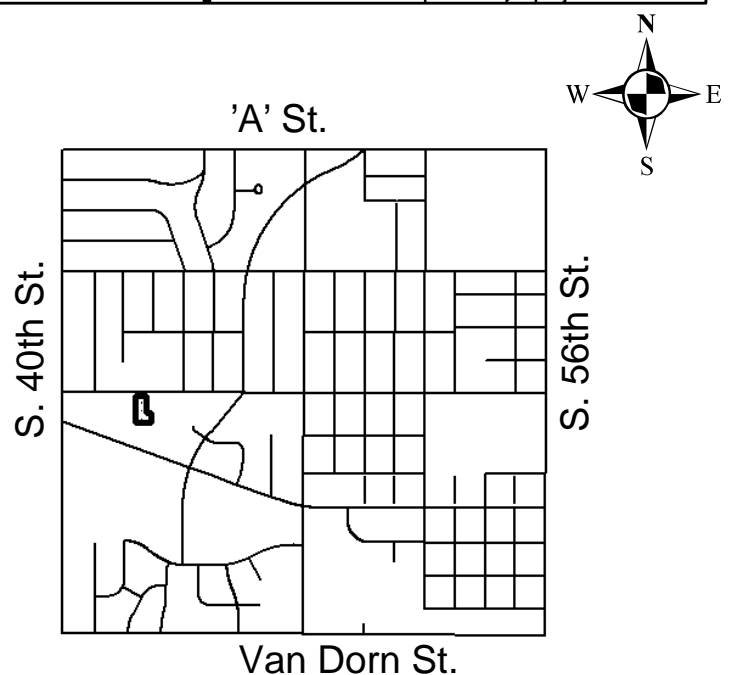
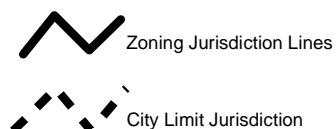


# **Waiver #03013** **S. 43rd & South St.**

## **Zoning:**

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile  
 Sec. 32 T10N R7E



**SOUTH STREET**

33'

N 90°00'00" E 119.96'

87.46'

16.50'

16.00'

10.0' U.E.

051.71'

LOT 1  
12,883 SF

147.50'

166.00'

7.0'

25'

87.25'

N 00°05'07" W 299.76'

5.0' U.E.

92.25'

LOT 2  
15,007 SF

24.00'

589°43'05" E  
59.99'

LOT 3  
15,004 SF

133.90'

5.0' U.E.

10.0' U.E.

79.51'

100.51'

N 89°53'42" W 180.02'

500°06'26" E 184.72'

500°05'07" E 115.01'

EAST 1/2 OF LOT 3  
SIMONS ADDITION  
NAPOTS

OCT 15 1988

LOT 221 I.T.  
NAPOTS

SCALE: 1" = 40'



"lucy anschutz"  
<newbees2@neb.rr.com>  
m>

To: <plan@ci.lincoln.ne.us>  
cc:  
Subject: Public Hearing

11/02/2003 02:03 PM

City of Lincoln Nebraska  
Lincoln-Lancaster County  
Planning Department  
Marvin S. Krout, Director

Lucy A. Anschutz  
4140 Normal Blvd.  
Lincoln, NE. 68506  
[newbees2@neb.rr.com](mailto:newbees2@neb.rr.com)

Dear Sirs:

This email is in response to your letter dated Oct. 31, 2003 concerning application for **WAIVER NO. 030313**. I wish to thank you for the opportunity to voice my opinion at the public hearing, however, I am unable to attend the scheduled meeting due to employment and family obligations.

I would like it to be known that my spouse and I are **NOT** in favor of the proposed subdivision of Lots 1, 2 and 3 of the Simons Addition located in the SW 1/4 of Section 32-10-7, Lancaster County, Nebraska. The owners of the adjacent lots to this proposed subdivision depend on these large irregular lots as a buffer from traffic noise originating on both South St. and Normal Blvd.. Elimination of this buffer would greatly reduce existing property values.

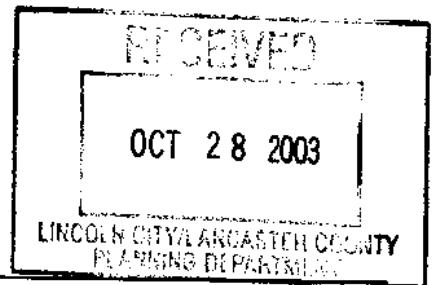
Please reexamine the need for any future development to this area and record this email as a **opposition vote** to the planned subdivision listed above.

Sincerely:

Lucy A. Anschutz  
4140 Normal Blvd.  
Lincoln, NE. 68506

**Design  
Associates** of Lincoln, Inc.

Pershing Square  
1609 'N' Street  
Lincoln, NE 68508  
Phone: (402) 474-3000 • Fax: (402) 474-4045



October 28, 2003

Marvin Krout  
Lincoln/Lancaster County Planning Department  
555 South 10<sup>th</sup> Street  
Lincoln, Nebraska 68508

RE: Simons 1<sup>st</sup> Addition- Waiver of Lot Width to Depth Ratio

Mr. Krout,

The referenced final plat has been submitted to your office for review and approval. The plat proposes to subdivide two existing lots, each with a width of 60 feet and depth of 300 feet, and one-half of an existing adjacent lot. The width to depth ratio of the existing lots is 5:1.

The submitted Simons 1<sup>st</sup> Addition final plat proposes reconfiguration of lot lines that will create one lot for the existing residence and two additional buildable lots. Single-family usage is proposed on the new lots. The buildable area in these lots is located south of the existing residence. The new lots are proposed to access South Street with a joint-use driveway located within a common access easement.

Review of the Land Subdivision and Zoning Ordinances shows compliance with all requirements of the existing R-2 zoning district for the lot associated with the existing residence. Review of these requirements for the two new lots reveals compliance with the minimum average lot width of 50' for single-family usage. However, the lot width to depth ratio of 6:1 for these lots is in excess of the maximum depth of three times the lot width.

The plat has been designed to allow development within an established neighborhood that will be limited to single family residences. The single-family limitation is based upon the minimal South Street frontage that is available for the proposed lots. A meeting was conducted to advise the neighbors of the proposed subdivision at the request of your staff. The neighbors did not indicate opposition to the proposed plat.

Approval of the final plat will provide an opportunity for two new residences within the established portion of the community without the need to construct or modify the existing infrastructure and without creating undue hardship on the adjacent properties.

Please advise if additional information is desired. Thank you in advance for your favorable consideration.

Sincerely,

J.D. Burt  
For the firm